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### III.—ON THE DATE OF PLINY'S PREFECTURE OF THE TREASURY OF SATURN.<sup>1</sup>

The more important published articles on the life of Pliny the Younger, and on the chronological sequence of his letters, are well known—Masson's *Life*, printed at Amsterdam in 1709; Mommsen's great study in the third volume of *Hermes* (1868), reissued in a French translation in 1873; and the later articles that almost of necessity have Mommsen's work as their starting-point, and traverse to a greater or less extent his views, Stobbe in the thirtieth volume of the *Philologus* (1870), Gemoll in a doctor's dissertation of 1872, Peter in the thirty-second volume of the *Philologus* (1873), Asbach in the thirty-sixth volume of the *Rheinisches Museum* (1881), and Maximilian Schultz in a Berlin dissertation of 1899. Other articles might be cited, but these are the most significant. To them of course can be added various summary statements in histories of the time, or of literature, or in introductions to editions of some part of the letters: but almost all of these, if not quite all, have no independent value.

By Mommsen, and too often since his article was published, the treatment of the chronology of Pliny's life has been made to depend upon the preliminary establishment of the dates of his letters or books of letters. From this method of discussion I am able for the most part to steer clear in this article, though I must of necessity touch upon it at the close. If the chronological point at issue seems too minute for such extended discussion, I must plead in excuse my attraction to a method that consists in a careful attempt to determine not what an author may be twisted into meaning, but what he actually did mean; and in the purpose not to let any theory, however neat or brilliant, stand in the way of such determination. It would be a tedious task to attempt to cite at each step the writers whose views, perhaps not always strongly held, I may be controverting, and I trust I shall not be thought to treat them in cavalierish fashion if I refrain from wearying the reader's patience by too many such references.

<sup>1</sup>A part of this article was read before the American Philological Association at its meeting in July, 1902.

That Pliny was prefect of the treasury of Saturn is stated by himself in more than one place (V. 14. 5; X. 3. 1; Pan. 92), and the office is mentioned in due order (next before the consulship) in the *cursus honorum* of the well-known inscription of Milan. It is the date of his entrance upon that prefecture that I wish first to determine, within as close limits as may be. For I need not remark, to those who interest themselves at all in the chronological questions connected with Pliny's life, that it is impossible to determine the date with absolute precision.

In Pan. 90 Pliny says, *diuus Nerua ut nos . . . promouere uellet*. In the next sentence he remarks (Pan. 91) that he and Cornutus had not yet served two years in their arduous and exalted office (*nondum biennium compleueramus in officio laboriosissimo et maximo*) when Trajan designated them for the consulship (*consulatum obtulisti*). In the next chapter we are told for the first time the name of this office to which Nerva "*nos promouere uoluit*", and which they were filling when named for the consulship, the prefecture of the treasury. That this treasury was that of Saturn is shown by the inscription above cited, to say nothing of other evidence.

Nerva, then, to translate literally the words Pliny uses, "wished to promote" him and Cornutus to the prefecture of Saturn's treasury. But does that phrase *ut nos promouere uellet* mean as well that Nerva carried out his desire or intention? I cannot deny that in a proper setting it is susceptible of such an implication, but such a setting is not found here. All, therefore, that is necessarily contained in the phrase is the statement that Nerva promised them, or designated them for, the office, and would have installed them in it had his life been sufficiently prolonged.

Let us now turn to two other passages in which Pliny speaks of his indebtedness for the promotion. In X. 3 he says, *me, domine, indulgentia uestra promouit ad praefecturam aerarii Saturni*; and again in X. 8 he speaks of that office as *delegati a uobis officii*. It is certain from the study of Pliny's style that he cannot be using the plural of the second person for the singular. Both *uos* and *uestra* must therefore refer to Nerva and Trajan. But Nerva alone at least nominated him for the office. In what sense, then, can both Nerva and Trajan be said to be responsible for the gift of the position? Some, assuming that the prefecture was actually entered upon during Nerva's lifetime, would say the plural means that the promotion was

the joint act of Nerva and Trajan as colleagues in the imperial power. Doubtless they were indeed colleagues in the imperial power to a certain extent, for Trajan as well as Nerva held the *imperium proconsulare* and the *tribunicia potestas*. But without entering further upon that question, it is sufficient to ask why the designation was not equally a joint official act. It certainly took place some months after the adoption of Trajan, as I shall later show. Why does not Pliny use *uos* also of that, and not merely *diuus Nerua*? There are no local circumstances or turns of language to suggest or to justify the inconsistency in expression. Evidently some other form of explanation must be found.

Mommsen is definitely of the belief (*Étude*, p. 64, n. 3) that Pliny entered upon the prefecture while Nerva was yet living,—that is, before January 27, 98,—and apparently bases his belief upon this use of *uos* and *uestra*, which, however, he explains by the declaration that Nerva inducted Pliny into his office, and Trajan upon his accession confirmed him therein: for, says Mommsen, upon the accession of a new emperor the various functionaries of the empire must be confirmed by him in their respective offices. On this point we must be allowed to differ with even so eminent an authority. In the first place, it would be difficult for him to prove so wide-reaching an assertion concerning the necessity of such a confirmation, nor can the *ipse dixit* suffice on a contested point like this. Indeed, I am not aware that he even makes such an assertion elsewhere, though I am writing at a distance from books, and my previous observation may be at fault. But Mommsen, with all his astounding sweep of knowledge, has yet a remarkable way occasionally of trusting his own idea of what ought to be, in the lack of actual evidence of what was. So he is prone to account for a fact by suggesting a possibility, then to advance that possibility the next minute to the rank of an actuality, and then to enunciate it as a general truth. Undoubtedly the princes had very considerable powers in getting men out of office when he chose to do so. The official guillotine was invented before the times of Andrew Jackson. But the power of removal, by whatever means or on whatever theory exercised, is a very different thing from the right of confirmation. The immense body of offices of Roman administration was not vacated by the death of the princes. The incumbents of such of them as were strictly public and not personal offices (and in this category

the prefecture of Saturn's treasury is to be reckoned) may in many or most instances have owed their posts to the favor of the emperor, but they were appointed after a constitutional manner, and were functionaries not of the emperor personally but of the state. A new emperor might be able to remove them, but there is no proof, and no indication in the nature of the principate, that they needed his confirmation in order to continue the exercise of their functions. Not in this sense, then, could Pliny say that he owed his prefecture to both Nerva and Trajan.

In what sense, then, could this be said? One other mode of explanation lies open, and that a perfectly simple and easy one. The date of designation for the prefecture may very well have been in the month of January, 98. Of this point I shall speak a little later. Nerva died shortly thereafter (on the 27th of January). What more natural than that Trajan carried out Nerva's nominations for the prefecture of the treasury precisely as he did those for the suffect-consulships of the year? And what more natural than that Pliny, speaking later of an office for which he had been nominated by one emperor, and into which he had accordingly been inducted by his successor (who was not constitutionally bound, however, to carry out the nominations of his predecessor), should join the two together in *uos* and *uestra* as those to whom he owed his advancement?

I hold, therefore, that Pliny was named by Nerva in January, 98, for the succession to the prefecture of the treasury, and that he actually entered upon that office after Trajan's accession,—that is, after January 27, 98.

But having established this *terminus post quem* let us pass on to consider the establishment of a *terminus ante quem*.

There are no indications of any definite calendar date on which the prefects of the treasury regularly entered upon their office, nor is it necessary from general considerations to suppose that there was any such uniform date of installation. On the other hand I am inclined to think that we may find in Pliny's own case, and in his words, some indication that the administration of the treasury passed from the hands of one pair of prefects into those of another at the convenience of the emperor and of the service, though this is by no means to be taken as an assertion that the term of prefects was confined within no usual limits. Of this matter also I shall speak later.

The determination of the date of Pliny's installation as prefect

may be approached, and indeed must be approached, from two different directions. We may trace the term of his immediate predecessors in office to its conclusion, and we may also follow backward certain chronological indications from the time when Pliny was designated consul. I purpose to take up these points in order.

The first of them is concerned with sundry determinations of date connected with the attempted impeachment of Publicius Certus, described by Pliny years after the event in the thirteenth letter of his ninth book. The incident occurred within the second consular nundinum of the year 97, and when that nundinum was considerably advanced,—perhaps as late as June or July (see my notes on IX. 13. 5 in *Selected Letters of the Younger Pliny*, London, 1903). Publicius Certus was at that time prefect of the treasury of Saturn with Vettius Proculus (IX. 13. 13), and was expecting (l. c.) speedy advancement to the consulship. He had been made prefect under Domitian, and Pliny demanded that under the best of emperors he should be forced to surrender the prize that he had won under the worst (IX. 13. 23). And Pliny says his demand was gratified, for *collega Certi consulum, successorem Certus accepit*. Proculus therefore was designated consul at the expected time, which could not have been later than the following year. Now as Proculus was consul in 98, and Pliny and Cornutus were designated prefects probably in January, 98, they must have been the immediate successors of Proculus in that office. For from what I shall later point out concerning the usual length of term of the prefects, and concerning specifically the length of Pliny's term, there is no possibility that another pair of prefects could have been interpolated between Proculus with his (final) colleague and Pliny with Cornutus.

I may perhaps be allowed to remark that Mommsen believes that both Proculus and Certus continued in office from the time of the incident in the senate (which I have shown in another place to have occurred probably not later than about the middle of 97) till January, 98, when Proculus was nominated suffect-consul, and Certus passed over, Pliny and Cornutus immediately succeeding them in the prefecture. With this notion I am forced to disagree. It is at variance with Pliny's words, and with Pliny's lack of words, as well as with the general character of the case. The prize which Certus had gained under Domitian was surely the actual office which he then held, the prefecture,—itself a high and important

position. This prize Pliny demanded that he be forced to surrender,—for Pliny hoped to be able to convict Certus under the *lex Cornelia de sicariis et ueneficis* (Dig. XLVIII. 8, et al.), the penalty of which involved infamia and the consequent loss of office. Moreover *successorem accipere* is commonly used to denote removal from office before the expiration of the normal term (cf. e. g. Suet. Aug. 88; Spart. Hadr. 9. 4; 11. 2; 24. 7; Suet. Dom. 1; et al.). But what Pliny omits to say is quite as significant as what he says,—for if he had been the immediate successor of Certus in the prefecture, it appears impossible that he, who makes so much of the delirious dreams of Certus concerning his attack, should not comment also upon this dramatic fact. On general considerations moreover it would seem probable that if Nerva meant to inflict punishment upon Certus, even informally, he would not wait for more than half a year before doing so. Altogether then it appears certain that Certus was speedily removed from the prefecture, and a successor appointed, who served with Proculus till Pliny and Cornutus succeeded them.

But when did the term of Proculus end? Mommsen thinks on or immediately after the ninth day of January, 98, when Proculus was designated consul. Now that I am engaged in the critical consideration of this chronology I must remark that while it is possible that the nominations to suffect-consulships were made at this period on the ninth day of January of the year in which the consulship was held, it is by no means certain that this is the case. To be sure, the careful study of the manner of Pliny's utterance in Pan. 77 makes it appear probable, as Mommsen holds, that in the year 100 the designatio and renuntiatio of the suffect-consuls were made in the month of January, and earlier than the very end of that month. But the only authority that fixes January ninth as the precise day is the calendar of Polemius Silius (C. I. L. I. 335), which asserts that on this day the suffect-consuls or praetors are designated. And this Calendar dates from the year 448 A. D., three centuries and a half after the period we are considering.

But the precise date of this particular designatio is not a very important matter. More important is it to determine when Proculus laid down the prefecture, and Pliny therefore succeeded. An important point to be made here is a warning against the mere assumption that the designation for the consulship involved

the immediate resignation of the prefecture, and that the designation for the prefecture involved the immediate entrance upon its duties. As regards this last matter, I have already shown that in Pliny's case the induction into the prefecture did not immediately follow his designation for it. As a necessary corollary, since Pliny was the successor of Proculus, the latter certainly held his prefecture for some time after his designation for the consulship. But how long? That cannot be precisely determined but an approximation to the date can be made by examining the chronological relation involved between Pliny's inauguration as consul and the conclusion of his term as prefect. To this consideration I now turn.

In Pan. 92 Pliny says, "How striking a fact is it that you exalted us to the consulship before relieving us of the prefecture of the treasury. Dignity was heaped upon dignity, nor was our lofty station continued merely, but duplicated, and our new honor, as if it disdained to succeed the former, anticipated it. So great confidence did you repose in our uprightness that you thought it only consistent with your own scrupulousness not to allow us to decline into the condition of private citizens after holding our exalted office." The "exalted office" to which he refers here can be only the prefecture, which he characterized in the same terms in the chapter immediately preceding this as well as elsewhere. There is no reason whatever, other than the insistence upon fidelity to a pet theory, for supposing, as Mommsen has done, that Pliny is looking ahead, and means that Trajan's purpose is to continue him and Cornutus in the prefecture of the treasury, so that they may not become private citizens after laying down the consulship (the "exalted office" being, in Mommsen's view, one moment the prefecture and the next the consulship). It is evident, then, from Pliny's words that ordinarily prefects of the treasury who were nominated to the consulship were relieved of their prefecture before actually entering upon their higher office. There was therefore a period, longer or shorter, during which they became only private senators, though consuls designate. It does not necessarily and always follow, however, that they were relieved of the prefecture very soon after their designation as consuls. There is no external evidence that such was the case, and there is no internal reason why it should be so. It would seem reasonable to relieve them from service in time so that the transfer of office could be made conveniently, and all



accounts adjusted, before the ex-prefects began their service as consuls; but for this a brief interval would suffice. Pliny entered upon the consulship in September, having been designated in the preceding January. If there were anything remarkable or unusual in his continuance in the prefecture for so long as eight months after his designation as consul, he, who makes so much in the ingenuity of his perfervid egotistic loyalty of every minute point of distinction, would certainly not fail to comment upon this. But his only remark is upon the fact that no interval elapsed between the two offices. In all probability, therefore, a prefect of the treasury designated consul ordinarily was continued in office until shortly before he actually entered upon the consulship.

Now let us apply this principle to the case of Proculus. If Gruter (1071. 4) is to be trusted, Vettius Proculus and P. Iulius Lupus were consuls in the month of December. Their term was, therefore, the last nundinum of 98. The length of the nundinum cannot be determined, but it was certainly as much as two months, and doubtless was not more than four months. Proculus therefore became consul at the latest on or about November first, and at the earliest on or about September first. In accordance with what has been said, there is no need for supposing that he laid down his prefecture more than, let us say, a month before he was installed in the consul's chair. Pliny and Cornutus would accordingly appear to have entered upon their prefecture somewhere in the neighborhood of August 1 or of October 1, of the year 98.

This conclusion has been reached by approaching the problem from the direction of the term of the predecessors of Pliny in the prefecture. But I have said that it is necessary also to approach it by reckoning backward from the time when Pliny was designated consul. These two lines of investigation should arrive at the same point, or at least the latter should not cut the former at an inconvenient or inconsistent point.

Pliny was designated consul in the month of January of the year 100. The manner of determining the month I have already mentioned. The year is determined by the statement (Pan. 60) that it was the year of Trajan's third consulship, and that is known to be 100 A. D. by a course of reasoning too long to be reviewed here, but convincing, and so far as I know, not doubted by any one. Now, as I have before remarked, in Pan. 91 Pliny says that he had not yet been two years prefect when he was designated

consul (nondum biennium compleueramus . . . cum . . . consulatum obtulisti). Just what does he mean by the phrase *nondum biennium compleueramus*? One of two things might be implied: the former, that nearly, though not quite, two years had been completed; the latter, that at least two years service was usually completed before nomination to the consulship. It is hardly likely that both these implications should be combined in the one statement, and this antecedent improbability becomes an impossibility when it is noted that Pliny goes on to emphasize the remarkable and exceptional grace of the emperor in offering the promotion without a much longer and more tedious waiting upon hope deferred. If two years were the term of service ordinarily required, and Pliny had nearly completed it, there would be no point, even with his tendency to extravagant rhetoric in the Panegyric, to the emphasis laid upon the unwonted speed of the promotion. We must conclude from his words, therefore, that two years of service was the understood minimum which must be spent in the intermediate office before eligibility for promotion to the consulship, and that ordinarily prefects had been compelled to wait a much longer time before they attained the coveted post. And this is seen to be quite consistent with other facts when we note that these prefects were always praetorii, and that two years was at this period the minimum time that must elapse between the conclusion of the year's service as praetor and the entry upon the consulship. There is indeed little indication that men at this period ever reached the consulship *suo anno* (as they used to say in Cicero's time), and the prefecture of the treasury was in itself such a high function that it might well console those who discharged it if they were detained therein for more than the theoretical minimum interval of two years.

Pliny means, then, and means only, that according to the minimum reckoning he might have counted upon the necessity of at least two years of service as prefect before nomination to the consulship, but he had not fulfilled even this theoretical minimum. There is therefore nothing in his statement to interfere with the conclusion before reached that his term as prefect of the treasury of Saturn probably began in August or in October of the year 98. And in the ground thus traversed I have covered all the evidence in point that has come under my observation. (I should perhaps remark that, as I have pointed out in my published notes on X. 8, that letter is of the year 99, and not of the year 98.)

I turn now, and more briefly, to the consideration of the concluding date of Pliny's prefecture, which Mommsen (*Étude*, p. 65) believes to have extended over a period of nearly four years, from January 98 till nearly the end of 101. I, on the other hand, think it more likely to have ended soon after his assumption of the consulship in September of the year 100. Let us remark first that nothing certain is known regarding what may be called the normal term of prefects of the treasury of Saturn. If what has been said may be regarded as establishing the probability that two years was the ordinary minimum term of service before nomination to the consulship, and that the prefecture, in the case of men advanced directly therefrom to the consulship, was ordinarily laid down only shortly before induction into the higher office, and finally that nominations to the suffect-consulships were made in January of the year in which the office was actually discharged, it is easy to see that a prefect advanced to the consulship under these rules with as brief an interval as possible between the two offices might have served in the prefecture as little as two years, or as much as four years lacking perhaps two months. For on the one hand he might have fulfilled his two years of service in December, in time to be duly nominated for an ordinary consulship to begin on the first day of January next succeeding; or on the other hand his two years of service might expire in January just after the nomination of suffect-consuls for that year, and he might have to wait in office for another year before nomination, and then perhaps till the last nundinum of the year, possibly November, for the actual consulship. Mathematically speaking, the mean between these two extremes is about three years; and there is a good chance that this was regarded as something like the normal term of prefects of Saturn's treasury, to be varied according to circumstances or the favor of the emperor. Indeed, it might be remarked in passing that the prefects of the two treasuries, the civil and military chests, were apparently regarded as colleagues, (see e. g. *Pl. Ep. III. 4. 3*), and the prefects of the military treasury served a normal term of three years under Augustus, and apparently for a long time afterward (*Dio C. LV. 25. 2*).

But whatever we may choose to regard as the normal term of prefects of Saturn's treasury, probable cause has already been shown for believing that they ordinarily laid down their office before assuming the consulship. Yet Pliny was made consul while

still prefect. Mommsen indeed asserts (*Étude*, p. 64) that Pliny states that he and Cornutus "continuèrent, même pendant leur consulat, à administrer le trésor", but therein he is in error. Pliny merely states (*Pan.* 92), as I have already pointed out but need again to emphasize, that at the time of entry upon the consulship he is still in office as prefect. He makes the most of the very unusual if not unprecedented plurality of his office, but he nowhere implies that he expects to continue long in the prefecture. Indeed, the implication is quite otherwise; for the point he particularly lays stress upon is not that he is expected to administer both offices at the same time, but merely that while others have been relieved from the one before taking up the other, he has been granted the unusual honor of entering upon the second while yet holding the first, and so of having no moment of interval in private station. From the face of his words, then, and from their patent implication, one would certainly be bound to consider it likely, in the lack of other evidence, that Pliny and Cornutus were not expected or expecting to hold another and an onerous office together with the consulship (a case perhaps without parallel), but were speedily relieved of their prefecture, which they had held thus long either, as Pliny affects to think, as an especial compliment from the emperor, or, as seems quite as likely to be the real fact, because some accidental circumstances had prevented their earlier relief.

I have thus, as I think, established my case, and fortunately without being compelled to enter upon the troublesome question of theory concerning the general chronology of Pliny's correspondence. But I cannot properly avoid mention of that topic at this point, since Mommsen holds that there is actual evidence in two particulars that Pliny was still prefect of the treasury of Saturn in the year 101. Both of these particulars are intimately connected with his great theory about the chronology of the letters. He believes, it will be remembered, that Pliny does not mean at all what he says in the first letter of the first book, where he states that the letters are not arranged in chronological order. Mommsen refuses to accept this statement in its plain and simple and reasonable meaning, and tries to prove that at least the earlier books individually, and the later books in groups, are arranged as chronologically distinct and progressive unities; and he tries to prove this on the scantiest of positive evidence, and with striking disregard of every point (and there are many of them)

that makes against his theory. Then he proceeds to investigate every date in Pliny's life after and in accordance with his determination of the dates of the several books of the letters. The general theory is a Procrustean bed into which every individual letter is made to fit willy-nilly. The method is striking, and the results reached sometimes appalling.

Mommsen's theory is an inexorable whole, and it falls completely to the ground unless he claims that all the letters of the third book date from the year 101, or possibly some of them from the year 102. At the date of two of these letters (III. 4, 9), which mention the prosecution of Caecilius Classicus, Pliny is evidently prefect of the treasury of Saturn (cf. III. 4. 2 with X. 8). Therefore to save his theory from collapse Mommsen attempts the impossible task of proving that there is no unreasonableness in the supposition that the case against Classicus was on the docket in 101; and accordingly he must also conclude that the term of Pliny as prefect was thus extraordinarily prolonged. The other particular of evidence cited by Mommsen is of still more dubious character, but of the same class. In III. 6 Pliny is detained in Rome by the duties of an official position (*officii ratio*). Since, says Mommsen, this, like all the other letters of the third book, must have been written in 101, and there is no other office possibly held by him at that time that was of an onerous character, it is another indication that Pliny was still prefect in 101.

It is evidently necessary to rebut these two pieces of evidence in order to make a complete case, though the evidence already advanced in chief appears to be perfectly conclusive. It is easy to point out the grave, and as I think it easy to see, unsurmountable difficulties that lie in the way of the assignment of the case against Classicus to the year 101. It appears improbable that Mommsen would so assign it, unless it were necessary under the support of his general theory. A more effective and still necessary method of rebuttal would yet remain, in showing the untenable character of Mommsen's theory in general. As I have just pointed out, his theory hangs so together that if undermined at any point it must inevitably fall as a whole. But a general rebuttal would prolong the present article far beyond the limits available in the *Journal*, and would be to repeat much that has already been done in the articles cited in the first paragraph. Whatever may be said in criticism of them on individual points,

they may be referred to as establishing completely the argument in rebuttal for the purposes of the case herewith presented.

I trust, therefore, that I have shown cause for believing that Pliny entered upon the prefecture of the treasury of Saturn in August or October, 98, and retired therefrom at about the expiration of the minimum term of two years, soon after his entry upon the consulship in September of the year 100.

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CONN., *Sept.* 24, 1902.